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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/465,835	12/17/1999	DON HIDEYASU MATSUBAYASHI	36J.P214	9385

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EXAMINER

LUDWIG, MATTHEW J

ART UNIT	PAPER NUMBER
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2178

DATE MAILED: 01/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/465,835

Applicant(s)

MATSUBAYASHI ET AL.

Examiner

Matthew J. Ludwig

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 October 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8, 10-17, 19, 20, 22, 25, 26, 31 and 32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7, 10-14, 16, 19, 20, 22, 25, 26, 31 and 32 is/are rejected.
- 7) ☒ Claim(s) 8, 15 and 17 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is responsive to communications: Amendment A filed 10/20/03.
2. Claims 1-8, 10-17, 19, 20, 22, 25, 26, 31, 32 are pending in the case. Claims 1 and 10 are independent claims.
3. The rejection of claims 1-8, 10-17, 19, 20, 22, 25, 26, 31, 32 under 35 U.S.C. 103 (a) as being unpatentable over Gase has been withdrawn pursuant to the Applicant's amendment. Claims 9, 18, 21, 23, 24, 27-30 have been cancelled and claims 31 and 32 have been added in accordance with Amendment A.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. **Claims 1-7, 10-14, 16, 19, 20, 22, 25, 26, 31, and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Venkatraman et al., USPN 5,956,487 filed (10/25/96).**

In reference to independent claim 1, Venkatraman teaches:

A web server that dynamically generates a web page to reflect the updated state of the information pertaining to the device. The web server functionality is embedded into the printer device by providing software (compare to "*providing a web page from a printer's embedded web server to the web browser*"). See column 3, lines 33-37 and column 4, lines 23-28.

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The web browser includes a selection device that enables a user to select objects and URL links rendered on the display (compare to “*receiving a URL entered into the provided web page by the web browser*”). The reference demonstrates a method of receiving a URL defined in the HTML file through the employment of the web browser, which is used to direct the users requests towards other web pages for various printer support functions. See column 7, lines 1-21.

The reference further teaches URL's that are associated with hyperlinks. The hyperlinks provide direct access to the Internet and make available a large organization network from which a user would be able to search the World Wide Web and locate information regarding related printer support functions.

The reference discloses a device with embedded web access functionality that provides device-specific user interface functions. The device includes a network interface and a web server along with a monitor. The device represents a wide variety of devices including devices such as printers, fax machines, etc. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the embedded web access mechanism in a printer as taught by Venkatraman and printed information gathered via hyperlinks, because it would have given the user the added benefit of enhanced and widely accessible user interface functions that were employed in printer environments.

In reference to dependent claim 2, Venkatraman teaches:

The processor formats the information into the HTML format that defines the web page and transfers the HTML formatted information to the web browser via the home-based network. See column 6, lines 17-22.

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In reference to dependent claim 3, Venkatraman teaches:

The reference demonstrates the utilization of HTML formatting language within the embedded web access mechanism. See column 6, lines 17-22. The reference does not explicitly teach a web page formatted in the XML format; however, the reference mentions the employment of HTTP for communication in a client/server environment. It would have been obvious to one of ordinary skill in the art at the time the invention was made, to modify the HTML formatting techniques of Venkatraman and provided various formatting languages for use within a network environment, because it would have given the user the added benefit of having structured data passed within a client/server method.

In reference to dependent claim 4 & 5, Venkatraman teaches:

Hyperlinks defined in the HTML file direct the web browser to other web pages for various printer support functions. See column 7, lines 5-10. The reference discloses a device with embedded web access functionality that provides device-specific user interface functions. The device includes a network interface and a web server along with a monitor. The device represents a wide variety of devices including: printers, fax machines, appliances, etc. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the embedded web access mechanism in a printer as taught by Venkatraman and printed information gathered via hyperlinks, because it would have given the user the added benefit of enhanced and widely accessible user interface functions that were employed in printer environments.

In reference to dependent claim 6, Venkatraman teaches:

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The web page may also contain one or more URLs that specify additional web pages located elsewhere, external to the device. The reference further discloses hyperlinks defined in the HTML file. The device methods taught by Venkatraman demonstrate a link to a document that represents printer support functions. See column 6, lines 1-30.

In reference to dependent claim 7, Venkatraman teaches:

The large organization network may be referred to as an Intranet and may be implement with a variety of communication mechanisms including local area networks connected together by various types of communication links. See column 7, lines 23-29.

In reference to claims 10-14, 16, 19, 20, 22, 25, 26, 31, and 32, the claims recite similar limitations to those of claims 1-7, and therefore are rejected under similar rationale.

Allowable Subject Matter

6. Claims 8, 15, and 17 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

7. Applicant's arguments with respect to claims 1-8, 10-17, 19, 20, 22, 25, 26, 31, 32 have been considered but are moot in view of the new ground(s) of rejection.

It is respectfully noted, that applicant's incorporation of the newly formed limitations within the recited claims changes the scope of the claims limitations when interpreted as a whole. Therefore, the instant rejections have been adjusted accordingly.

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Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew J. Ludwig whose telephone number is 703-305-8043.

The examiner can normally be reached on 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on 703-308-5186. The fax phone number for the organization where this application or proceeding is assigned is 703-746-7239.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.

ML
January 9, 2004


STEPHEN S. HONG
PRIMARY EXAMINER